APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,299	02/06/2001	Garrey Learmonth	CSCO-96901	5640

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EXAMINER
WOO, ISAAC M

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/778,299	LEARMONTH, GARREY
	Examiner	Art Unit
	Isaac M Woo	2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 February 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11,13-16,18 and 20-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-4,6-11,13-14,16,18,19 and 21* is/are rejected.

7)☒ Claim(s) *5,15 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

February 24, 2004 has been entered.

2.   Claims 1, 3, 11, 13, 16, 18 and 21 are amended. The pending claims are *1, 3-11,*

13-16, 18 and 20-21.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims *1, 3-4, 6-11, 13-14, 16, 18, 19 and 21* are rejected under 35 U.S.C.

103(a) as being unpatentable over Subramanian et al (U.S. Patent No. 6,25,818,

hereinafter, "Subramanian") in view of Anwar (U.S. Patent No. 6,490,577).

With respect to claims 1, 11, 16 and 18, Subramanian discloses, a) receiving a

plurality of search queries from users each of the plurality of search queries including

search criteria and a user address, see (global queries from client 202, 204 and 206,

fig.2, col. 12, lines 4-36, 800, fig. 8, SQL, (industry-standard language for creating,

updating and, querying relational database management systems. SQL was developed

by IBM in the 1970s for use in System R. It is the de facto standard as well as being an

ISO and ANSI standard. It is often embedded in general purpose programming

languages), queries provides search criteria and the client are network users, network

client provides user address); b) normalizing the search criteria so as to obtain a single

normalized search criteria for the plurality of search queries, see (fig. 7-8, col. 7, lines

18-42, col. 9, lines 9-35, col. 19, lines 57-67 to col. 20, lines 1-67); c) transmitting the

single normalized search criteria to a search engine, see (fig. 1-2, col. 11, lines 8-63);

d) receiving a response from the search engine that includes search results, see (col.

12, lines 4-36); e) generating a response to each of search queries from users, each

response including search results corresponding to the search criteria submitted by that

particular user to make user query, see (col. 12, lines 4-36). Subramanian does not

disclose that search querying including a user address. However, Anwar discloses that

search querying including a user address, see (col. 11, lines 61-67 to col. 12, lines 1-6).

Therefore, it would have been obvious a person having ordinary skill in the art the time

invention was made to combine the search querying including a user address with the

system of Subramanian to identify user's address to make user query. In network

environment, each user or computer has address which is form of an unsigned integer used to select one fundamental element of storage, usually known as a word from a computer's main memory or other storage device. The address is used to identify user's email (e-mail address) address or user's machine address (IP, Internet Protocol, address) or combination of two in network communication. Thus, in order to identify user, user address is used to communicate in network environment and Internet.

With respect to claims 3 and 13, Subramanian dose not explicitly disclose the transmitting the user addresses to the search engine. However, Anwar discloses transmitting the user addresses to the search engine, see (col. 11, lines 61-67 to col. 12, lines 1-6). Therefore, based on Subramanian in view of Anwar, it would have been obvious a person having ordinary skill in the art the time invention was made to combine the transmitting the user addresses to the search engine with the system of Subramanian to identify user's address to make user query. The address is used to identify user's email (e-mail address) address or user's machine address (IP, Internet Protocol, address) or combination of two in network communication. Thus, in order to identify user, user address is used to communicate in network environment and Internet.

Claims 4 and 14 are rejected on grounds corresponding to the reasons set forth above in claims 1 and 3.

With respect to claims 6, 10 and 21, Subramanian discloses that search engine

is a software program operable on a first computing device, the steps a)-c) performed

by a second computing device that is coupled to the first computing device, see (fig. 1,

fig.2, col. 11, lines 8-63).

With respect to claims 7-9, Subramanian discloses that the first computing device

is coupled to the second computing device, see (FIG. 2, col. 5, lines 2-67 to col. 6, lines

1-65). Subramanian dose not explicitly disclose using a local area network, a wide area

network and Internet. However, Anwar discloses that a local area network, a wide area

network and Internet, see (col. 4, lines 29-67 to col. 5, lines 47). Therefore, based on

Subramanian in view of Anwar, it would have been obvious a person having ordinary

skill in the art the time invention was made to combine a local area network, a wide area

network and Internet with the system of Subramanian to search query interactions. The

Internet is the largest internet in the world. It is a three level hierarchy composed of

backbone networks, mid-level networks, and stub networks. These include commercial

(.com or .co), university (.ac or .edu) and other research networks (.org, .net) and

military (.mil) networks and span many different physical networks around the world with

various protocols, chiefly the Internet Protocol in combination of LAN (local are network)

and WAN (wide are network). Thus, it would beneficial to use Internet (the combination

LAN and WAN) for search query through network.

Allowable Subject Matter

4.   Claims 5, 15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Golding et al (U.S. Patent No. 6,640,218) discloses the system for collection of information with respect to a first set of one or more criteria is determined. A first measure of the usefulness of the item with respect to the first set of criteria is determined. A measure of the quality of the item is determined. A second measure of usefulness based on the first measure of usefulness and the measure of quality is determined.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
March 9, 2004

SHAHID ALAM
PRIMARY EXAMINER